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**CC:**  
**Subject:** Fw: DAILY UPDATE 28 August 2012. News of interest to Mon river watershed denizens.

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**Sent:** Tuesday, August 28, 2012 3:13 AM

**Subject:** DAILY UPDATE 28 August 2012. News of interest to Mon river watershed denizens.  
DUNKARD CREEK-28AugY2K12

NEW YORK TIMES Op-Ed:

August 27, 2012

## **Destroying Precious Land for Gas**

**By SEAN LENNON**

ON the northern tip of Delaware County, N.Y., where the Catskill Mountains curl up into little kitten hills, and Ouleout Creek slithers north into the Susquehanna River, there is a farm my parents bought before I was born. My earliest memories there are of skipping stones with my father and drinking unpasteurized milk. There are bald eagles and majestic pines, honeybees and raspberries. My mother even planted a ring of white birch trees around the property for protection.

A few months ago I was asked by a neighbor near our farm to attend a town meeting at the local high school. Some gas companies at the meeting were trying very hard to sell us on a plan to tear through our wilderness and make room for a new pipeline: infrastructure for hydraulic fracturing. Most of the residents at the meeting, many of them organic farmers, were openly defiant. The gas companies didn't seem to care. They gave us the feeling that whether we liked it or not, they were going to fracture our little town.

In the late '70s, when Manhattanites like Andy Warhol and Bianca Jagger were turning Montauk and East Hampton into an epicurean Shangri-La for the Studio 54 crowd, my parents, John Lennon and Yoko Ono, were looking to become amateur dairy farmers. My first introduction to a cow was being taught how to milk it by hand. I'll never forget the realization that fresh milk could be so much sweeter than what we bought in grocery stores. Although I was rarely able to persuade my schoolmates to leave Long Island for what seemed to them an unreasonably rural escapade, I was lucky enough to experience trout fishing instead of tennis lessons, swimming holes instead of swimming pools and campfires instead of cable television.

Though my father died when I was 5, I have always felt lucky to live on land he loved dearly; land in an area that is now on the verge of being destroyed. When the gas companies showed up in our backyard, I felt I needed to do some research. I looked into Pennsylvania, where hundreds of families have been left with ruined drinking water, toxic fumes in the air, industrialized landscapes, thousands of trucks and new roads crosshatching the wilderness, and a devastating and irreversible decline in property value.

Natural gas has been sold as clean energy. But when the gas comes from fracturing bedrock with about five million gallons of toxic water per well, the word "clean" takes on a disturbingly Orwellian tone. Don't be fooled. Fracking for shale gas is in truth dirty energy. It inevitably leaks toxic chemicals into the air and water. Industry studies show that 5 percent of wells can leak immediately, and 60 percent over 30 years. There is no such thing as pipes and concrete that won't eventually break down. It releases a cocktail of chemicals from a menu of more than 600 toxic substances, climate-changing methane, radium and, of course, uranium.

New York is lucky enough to have some of the best drinking water in the world. The well water on my family's farm comes from the same watersheds that supply all the reservoirs in New York State. That means if our tap water gets dirty, so does New York City's.

Gas produced this way is not climate-friendly. Within the first 20 years, methane escaping from within and around the wells, pipelines and compressor stations is 105 times more powerful a greenhouse gas than carbon dioxide. With more than a tiny amount of methane leakage, this gas is as bad as coal is for the climate; and since over half the wells leak eventually, it is not a small amount. Even more important, shale gas contains one

of the earth's largest carbon reserves, many times more than our atmosphere can absorb. Burning more than a small fraction of it will render the climate unlivable, raise the price of food and make coastlines unstable for generations.

Mayor Michael R. Bloomberg, when speaking for "the voices in the sensible center," seems to think the New York State Association of County Health Officials, the American Academy of Pediatrics, the New York State Nurses Association and the Medical Society of the State of New York, not to mention Dr. Anthony R. Ingraffea's studies at Cornell University, are "loud voices at the extremes." The mayor's plan to "make sure that the gas is extracted carefully and in the right places" is akin to a smoker telling you, "Smoking lighter cigarettes in the right place at the right time makes it safe to smoke."

Few people are aware that America's Natural Gas Alliance has spent \$80 million in a publicity campaign that includes the services of Hill and Knowlton — the public relations firm that through most of the '50s and '60s told America that tobacco had no verifiable links to cancer. Natural gas is clean, and cigarettes are healthy — talk about disinformation. To try to counteract this, my mother and I have started a group called Artists Against Fracking.

My father could have chosen to live anywhere. I suspect he chose to live here because being a New Yorker is not about class, race or even nationality; it's about loving New York. Even the United States Geological Survey has said New York's draft plan fails to protect drinking water supplies, and has also acknowledged the likely link between hydraulic fracturing and recent earthquakes in the Midwest. Surely the voice of the "sensible center" would ask to stop all hydraulic fracturing so that our water, our lives and our planet could be protected and preserved for generations to come.

Sean Lennon is a musician.

Published on *Alternet* (<http://www.alternet.org>)

*Earth Island Journal* [1] / By *Jason Mark* [2]

## **Methane's Contribution to Global Warming Is Worse than You Thought**

*August 21, 2012* |

Methane is 21 times more heat-trapping than carbon dioxide." If you're a frequent reader of environmental websites, no doubt you've seen some version of that sentence many times. The "twenty-times" figure is the most common way of explaining how methane (or CH<sub>4</sub>, or uncombusted natural gas) reacts in the atmosphere. Just one problem: It's not entirely accurate — at least not in the time-scale we should be using to think about how to tackle greenhouse gas emissions.

Actually, any CH<sub>4</sub> released today is at least 56 times more heat-trapping than a molecule of CO<sub>2</sub> also released today. And because of the way it reacts in the atmosphere, the number is probably even higher, according to research conducted by Drew Shindell [3], a scientist at NASA's Goddard Space Center. So why is the 21 times figure the one that gets bandied about? Because methane breaks down much faster than carbon dioxide. While CO<sub>2</sub> remains in the atmosphere for at least a century (and probably much, much longer, according to Stanford's Ken Caldeira [4]), CH<sub>4</sub> lasts only about a dozen years. When the Intergovernmental Panel on Climate Change had to come up with a way for comparing different greenhouse gases, it decided to use a century baseline to calculate a molecule's "global warming potential."

See this graph [5] on global warming potential values for some key GHGs by the GHG Management Institute (you'll have to scroll down a bit to get to it)

While these various comparisons are well understood by climatologists and climate change policy wonks, I'm guessing they're not that well known among the general public.

Why does it matter? Because we don't have a century to get serious about the impacts of runaway greenhouse gas emissions. Climate change is upon us now. And we appear to be approaching some irrevocable tipping points that will create powerful negative feedback loops, the most worrisome being the release of methane [6] stores at the bottom of the ocean and locked into sub-Arctic permafrost.

Carbon dioxide's longevity means that the warming we're experiencing now is actually the result of fossil fuel burning that happened a generation ago. And the emissions we're causing today won't be felt for decades to come. At our current rate of emissions, we'll be toast 100 years from now.

What if we were to use the IPCC's 20-year comparison instead of its 100-year comparison? For starters, it would force us to get much more serious about tackling the sources of methane emissions. Here in the US, the top methane sources are the decomposition of wastes in landfills, agriculture (from ruminant digestion), and leaks from natural gas drilling and transmission. A new emphasis on methane would require us to get smarter about capturing methane at landfills, reduce the market incentives that encourage Americans' meat-heavy diets, and ensure that methane isn't leaking from fracking operations.

But beyond the policy specifics, adopting the 20-year global warming potential comparisons would be useful for changing how we think about climate change.

In his much discussed Rolling Stone [7] essay, Bill McKibben lays out three numbers everyone should know to understand the global warming threat. Two degrees centigrade — the global average temperature increase we dare not cross; 565 gigatons — the amount of CO<sub>2</sub> we can afford to emit and still stay within that temperature; and 2,795 gigatons of CO<sub>2</sub> — the amount of fossil fuel reserves we know we have. But there are some numbers McKibben neglected: the numbers on the calendar, figures like 2022, 2032, 2112. These are just as important to keep in mind. If scientists and policy makers (and journalists and advocates) continue use a century-mark to measure and compare emissions, well then it seems like we have plenty of time; complacency remains an option. If we use the 20-year measurements, the immediacy of the global warming threat is more apparent.

We're running out of time, and the luxury of fudging the numbers. Which is reason enough for me to start making sure that whenever I'm writing about methane emissions, I'll be using a different set of figures from now on.

**Source URL:** <http://www.alternet.org/environment/methanes-contribution-global-warming-worse-you-thought>

PITTSBURGH POST GAZETTE:

Long fight over fracking still divides Pa. town

Monday, 27 August 2012 10:51

Written by Andrew Maykuth, Philadelphia Inquirer

DIMOCK, Pa. - More than three years after residents in this Susquehanna County town complained that Marcellus Shale natural gas development polluted their private water wells, the lawsuits are getting settled, the activists are going away, and gas drilling is set to resume.

But the battle scars are unhealed in Dimock, whose name has become synonymous with hydraulic fracturing - fracking. The rush to drill struck a deep reservoir of hostility.

Residents who support or oppose shale-gas development complain that their neighbors are looking for a quick payday, either from gas-drilling royalties or a legal settlement. They exchange snippy comments at the post office and glares at the grocery. They hold counterdemonstrations to each other's rallies, hoisting glasses of dirty water or clean water, depending upon their point of view.

The pettiness was documented in court papers. One family who cooperated with the gas company to fix their water supply erected a tarp to block out their neighbors, who had sued the drillers and accused their neighbors of selling out. The family that sued posted signs around its modest ranch house: "For Sale: \$5,000,000."

"It's really made some bitter enemies," said James C. Grimsley, 70, a retired New York City plumber who moved here nine years ago with his wife. He favors gas development, and expresses his sentiments on a sign nailed to his house on the main highway through Dimock: "Drill baby drill."

"You got neighbors against neighbors, towns against towns," said Raymond D. Kemble, a mechanic who is one of the residents who sued the Cabot Oil & Gas Corp. Kemble has festooned his yard with about three dozen anti-fracking signs, as well as a 40-foot billboard propped up against a mobile home.

Kemble, 57, has refused to sign a settlement with Cabot, although most of the litigants have recently come to terms with the gas driller. The settlement was reached after state and federal environmental regulators tested the water repeatedly and found no reason to intervene. The tests devastated the strength of the litigants' claims.

"I'm not saying I'm satisfied with the settlement," said Bill Ely, 61, who has signed a nondisclosure agreement and can't talk about details. "I'm not saying I'm dissatisfied. I'm just glad it's over."

Cabot declined to disclose the terms of the settlement, but Dan O. Dinges, the company's chief executive, told analysts last month that 32 of 36 litigants had signed off. "The aggregate value of the settlements are not a material item with respect to Cabot's financial statements," he said.

Last week, the Pennsylvania Department of Environmental Protection said that Cabot had complied with a consent order requiring it to fix the gas wells that were the source of methane, and was allowing Cabot to complete seven wells that were unfinished before the state suspended drilling in Dimock in 2010. All that remains is for the state to lift its ban on drilling new wells in Dimock.

Residents here who support gas drilling - and there are many - complain that the state's 28-month moratorium hurt them rather than Cabot, which simply moved its drill rigs into surrounding areas and continued exploration. Cabot's Susquehanna County wells are among the state's most prolific, and the company now produces about 700 million cubic feet of gas a day, enough to supply Philadelphia's entire annual demand in three months.

"We're basically missing out on royalties," said Ann Van Lenten, Jim Grimsley's wife. She formed a group called Dimock Proud to counter the image of their town as a wasteland.

The Dimock saga has caused numerous casualties - the residents whose well water was contaminated, and the town's image. Much of the anti-drilling movie Gasland is focused on Dimock and Pennsylvania, which filmmaker Josh Fox portrayed as unprepared for the scale of the Marcellus Shale boom.

"The reputation of the state has been badly damaged at some level by the media coverage, some of it irresponsible and some of it accurate," said John Hanger, the former DEP secretary who oversaw the regulatory response to Dimock. "The state has suffered, the gas industry has suffered."

The stage was set in 2008 when Cabot, which is based in Houston, began drilling exploratory wells on Susquehanna County land whose mineral rights it had quietly leased. Marcellus drilling then was confined mostly to Western Pennsylvania, but Cabot was betting on the 300-foot-thick formation buried a mile beneath Dimock.

Some residents near Cabot wells in Dimock began reporting dramatic changes in their water quality. On New Year's Day in 2009, methane that had built up beneath the concrete cover of a private water well blew up, ignited by the well's electric pump. The explosion got the attention of regulators and the media.

The DEP, which is responsible for regulating the industry, began an investigation. Cabot denied its drilling was responsible, insisting that methane migration was a naturally occurring phenomenon in northern Pennsylvania. Anti-drilling activists blamed hydraulic fracturing, the process of injecting large amounts of water, sand, and chemicals deep into a well to shatter the shale and release natural gas. The DEP's investigators said no chemicals associated with fracking were found in the drinking water, but in the public's mind, "fracking" became the culprit.

The DEP's investigation eventually concluded that Cabot's poorly constructed wells were to blame. It said Cabot's contractors had failed to properly seal off the wells with concrete. Natural gas was able to migrate upward through voids outside the steel casing that lined the wells, providing a pathway for methane to leak into shallow aquifers and then into private water wells.

But the DEP's investigation took a long time to reach a conclusion, and Cabot's response to the residents seemed cold and indifferent. Some Dimock residents, who were angry they had signed leases for small sums before the scale of the Marcellus discovery was known, sued Cabot in November 2009, claiming their property and health were affected.

"One of the things I've learned in the shale wars, there are people and interests that profit from conflict," said Hanger. "There's certainly money to be made from fighting, whether it's lawyers, consultants, or fund-raising appeals. There's probably more to be made out of a good old fight than a peaceful resolution."

The DEP concluded that 18 water wells serving 19 households had been contaminated and ordered Cabot to fix its gas wells. When the repairs failed to eliminate the methane problem, it ordered Cabot to plug three wells in 2010.

"The evidence that we had marshaled at that point was in my view pretty overwhelming," said Hanger. Investigators could actually see natural gas bubbling to the surface around the wells.

The DEP's experience in Dimock prompted the state to rewrite its well-construction standards, and to enlarge the area that drillers are presumed liable for impairing water quality, from 1,000 feet to 2,500 feet from a gas well. Drillers now typically test water in private wells within a half-mile of their drill sites, to establish a baseline should problems arise.

Even after Cabot was forced to repair its wells, methane continued to be a problem with some Dimock residents.

The Rendell administration ordered Cabot to pay for a \$12 million pipeline to bring fresh water to 19 households. Cabot objected, and so did some residents in Susquehanna County, who saw the project as excessive, and feared they would be left paying the cost.

"The pipeline made no sense," said Bill Aileo, a retired Army lawyer who organized a group called Enough Is Enough to protest the expensive pipeline project.

The incoming Corbett administration was certain to kill the pipeline project, so Hanger negotiated an alternative agreement with Cabot. The company would set aside \$4.1 million to pay each of the 19 households two times the value of their homes and install a water-treatment system to remove methane from their water. The families that weren't part of the lawsuit accepted Cabot's money, but only one of the 11 families in the lawsuit agreed to accept the offer of a water system.

"You sort of have to give them the opportunity to fix your water," said Ely, explaining why he was the only litigant to accept the system. "It's all about the water; it's not about the money."

Ely walked a visitor last week through the \$30,000 system, which is contained in a shed outside his house. Though Cabot tests his system weekly, he still does not trust it. "Once your water is bad, it's hard to get back to drinking it," he said.

But extensive testing conducted by the state and the U.S. Environmental Protection Agency found that the water posed no health risks. Though the tests showed the presence of some contaminants - arsenic, barium, sodium, manganese - none of the materials were linked to drilling. The high methane levels can be controlled by a treatment system.

Kemble, the mechanic with the yard signs who is one of the holdouts on the legal settlement, does not believe the water tests are accurate. Cabot had alleged that the contaminants in his water were more likely caused by his car-repair business, and the junked vehicles on his property.

Kemble is angry at just about everybody - Cabot, regulators, his own lawyers, and his ex-wife, who accepted the settlement, thereby reducing the amount offered to him. He said he would only see \$79,000 from the deal, after legal fees.

"I won't shut up," said Kemble, who let visitors see he is packing a .25-caliber semiautomatic in his pants - fully licensed, he said.

"I still have the right to freedom of speech," he said, "and the right to bear arms."

## **Wharton: No Specific Plans for Gas Money Commission to decide how royalties will be used August 28, 2012**

By SHELLEY HANSON - Staff Writer , The Intelligencer / Wheeling News-Register

WHEELING - When the natural gas starts flowing from Marcellus Shale wells, the Ohio County Commission is among many entities that will cash in on royalty payments.

But just how much money will be garnered and what it will be used for remains to be seen.

There are two wells that Ohio County can potentially benefit from financially. One already is situated on the private Gantzer property, but it will take gas from beneath The Highlands, located just across Interstate 70.

The county owns 300 acres of land at The Highlands, which is mostly owned by the county's development arm, the Ohio County Development Authority.

Photo by Shelley Hanson

Wheeling-Ohio County Airport Manager Tom Tominack stands in front of the new approach lighting system bridge at the end of the runway safety area. A natural gas drilling well site will be located about a mile from the airport's terminal tower.

Another well is planned on county property near the Wheeling-Ohio County Airport. The permit for that well recently was approved by the state Department of Environmental Protection.

"There will be a well site on county property near the airport, but it's well off the airside property including runways and other airside facilities," said county Administrator Greg Stewart in response to questions about safety at the airport.

Airport Manager Tom Tominack said the well site, which underwent much scrutiny by the Federal Aviation Administration, will be located about a mile southeast of the terminal tower.

"I still feel content that the well and the airport will coexist just fine," Tominack said, noting there already is a well site near the airport in Brooke County. And another well is proposed on private property near the U.S. Army Reserve center, a neighbor of the airport.

Commissioner Randy Wharton said, to date, the commission does not have specific plans for the anticipated royalty proceeds. And the commission does not know when the wells will start producing gas or how much the county will actually receive in payments, he said.

"There are any number of things that could be done with it," Wharton said of the money.

County officials previously noted they used the county's initial lease agreement payment from Chesapeake Energy to pay down debt owed to contractors who performed work at The Highlands.

"We tried to make it so the Ohio County Commission would receive the lion's share of the royalties," Wharton said.

For example, the OCDA sold 300 acres of The Highlands to the commission, as the remaining acreage the gas company was dealing with - the county farm and land near the airport - was all county-owned. With this acreage in the hands of the county, the gas company, Chesapeake Energy, only had to deal with one entity. The initial lease payment was about \$7.9 million, as the agreement called for the county to receive \$3,600 per acre for 2,182 acres. The royalty rate was 18 percent.

#### **In defense of Act 13**

**8/27/2012 3:32 AM**

As the question of the constitutionality of Act 13's zoning provisions moves to Pennsylvania's Supreme Court, leading Republicans in Harrisburg are hoping they can testify in the oil and gas drilling law's defense.

State Senate President Pro Tempore Joe Scarnati, R-Brockway, and Sam Smith, R-Punxsutawney, the speaker of the Pennsylvania House of Representatives, filed a petition Friday asking that they be allowed to defend the constitutionality of Act 13 before the state's highest court, contending they have an interest in defending how Act 13 was enacted.

Scarnati and Smith made a similar request when Pennsylvania's Commonwealth Court was considering the constitutionality of Act 13 and it was denied. On July 26, the court ruled the law's zoning provisions were unconstitutional because they took away the zoning and land-use planning rights of municipalities. The ruling has been appealed to the state's Supreme Court by the Public Utilities Commission and Department of Environmental Protection. The law, signed by Gov. Tom Corbett in February, created uniform standards throughout the commonwealth.

All the other parts of Act 13, including impact fees allotted for individual communities, remain on the books. Cecil, Robinson, Mt. Pleasant and Peters townships in Washington County were among the plaintiffs in the suit, along with South Fayette Township in Allegheny County, two communities in Bucks County, a Monroeville doctor and the Delaware Riverkeeper Network, an environmental group. Copyright Observer Publishing Co.

#### **Record season**

**8/27/2012 3:34 AM**

Washington County beat out four other Southwestern Pennsylvania counties in two key residential real estate sales statistics in July, according to a company that tracks the data.

RealStats said last week that nearly 2,700 buyers closed on a home in July in the five-county metropolitan Pittsburgh region, spending \$481 million and shattering last year's monthly total by \$90 million and July 2010's tax credit-influenced total by \$78 million.

In addition to Washington County, RealStats tracks home sales transactions in Allegheny, Beaver, Butler and Westmoreland counties.

The 23.1 percent increase in dollar volume across the region marked the 10th consecutive month of increased sales activity.

RealStats said Washington County led the pack in two key areas in July, with a 50 percent increase in dollars spent and a 34 percent increase in number of homes sold.

The number of units sold in Washington increased from 195 to 261 as dollars increased from \$33 million to \$49.5 million.

The county also saw the average home price for both new and existing homes hit \$189,459 in July, up from \$169,274 a year ago, and from \$173,761 recorded in July 2010.

The average price for a new home in the county in July was \$305,743, up from \$279,610 in July 2011 and \$272,934 in July 2010.

The performance was confirmed by area Realtors, who said they've been seeing comparable results so far this year.

Howard Hanna Real Estate Services, which recorded its third straight month of record closed home sales volume in July, said last week that in Washington County, its closed sales volume through the first seven months of the year is up 45 percent over last year.

Hanna reported that the number of homes sold by the agency during this time period is up 25 percent, with 89 more homes sold year to date.

Roger Dolanch, principal of Century 21 Frontier Realty, which has offices in Washington, McMurray, Finleyville, Belle Vernon and Greensburg, reported similar results.

"I've been in the business for 50 years, and May and June were both record months," Dolanch said, noting that dollar volume for each of the two months was up 22 percent over the comparable period last year.

While he hadn't seen his agency's July figures, Dolanch said he expected to see similar results.

Hanna said in a press release it continues to be the market share leader with 22.4 percent of the homes sold in Washington County this year.

According to Hanna, the average price of a home sold in Washington County is up 8.2 percent this year compared to 5 percent overall in the region.

"Not only is the average price up in Washington County, it is more than 3 percent higher than the other counties in the West Penn Multi-List," said Howard Hoddy' Hanna III, chief executive officer of the agency. Both Hanna and Dolanch credited the local economy and the presence of companies working in the Marcellus Shale.

"It's in large part due to the strong economy within Washington County led by the Marcellus Shale industry and Southpointe business park, the major growth stimulus in jobs and economic breakthroughs in the last three years," Hanna said.

Dolanch agreed that the presence of natural gas drilling companies and other industry-related companies in Southpointe have been responsible for many home sales his agency has closed on in Peters, North Strabane and Cecil townships.

He said Century is seeing many of its sales in the county occur in the upscale, \$400,000 and higher units.

West Penn Multi-List's Washington County statistics year-to-date through July 31, show overall sales volume up 26 percent, with the number of homes sold up 16 percent and 143 more homes sold this year than last.

Multi-List also reports that the average days on the market for a home in the county is down 11.4 percent, from 105 days last year to 93 this year.

The local stats reflect an improving national trend in home sales.

The Associated Press reported Wednesday that Americans bought more homes in July than in June, the latest evidence that the housing market is slowly, but steadily, improving.

Sales of previously occupied homes rose to a seasonally adjusted annual rate of 4.47 million in July, a 2.3 percent increase from the previous month's rate, the National Association of Realtors said Wednesday.

The industry's recovery has grown more consistent, though it remains sluggish and uneven. July sales were below the 4.6 million annual pace reached in April and May, and the annual sales pace is below the roughly 5.5 million that economists consider healthy.

Still, sales have increased 10.4 percent compared with a year ago.

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WBOY:

## **Pierpont Offering Free Training For Oil And Gas Industry Jobs**

Posted: Aug 27, 2012 5:56 PM EDT Updated: Aug 27, 2012 5:58 PM EDT

By Kelsey Pape, Marion and Taylor County Reporter

FAIRMONT -

Pierpont Community and Technical College is offering free training for oil and gas industry jobs through a grant program called "Marcellus ShaleNET."

The program is through the U.S. Department of Labor, Employment, and Training Administration.

The ShaleNET training is a three week (120 hour course) that certifies students to work on entry-level natural gas and oil rigs.

The grant covers the cost of tuition for the program but students will pay a \$100 dollar registration fee.

"This one is focused on the drilling side of that industry," said Pierpont Vice Present Workforce Education Paul Schreffler. "In order to be hired on a drilling rig you have to have some certification, basic safety, and know how that process works. That's what this program is driven by."

Students must finish the registration and screening process by September first to participate.

For more information on how to register or apply, contact Pierpont Continuing Education at 304-367-4920.

----- Original Message -----

**From:** Debbie Borowiec

**To:** dsborowiec@aol.com

**Sent:** Monday, August 27, 2012 7:38 PM

**Subject:** Terrific Letter to the Editor by Mark Brositz (supervisor in Robinson Twp) "About Act 13"

<http://www.post-gazette.com/stories/opinion/letters/about-act-13-650650/>

## **About Act 13**

August 27, 2012 12:11 am

I am writing regarding Kevin Moody's Aug. 16 letter ("Act 13's Rules"). Mr. Moody, vice president and general counsel of the Pennsylvania Independent Oil & Gas Association, states several important facts, but he also fails to mention several other critical ones. He states that "compressor stations are permitted uses only in agricultural and industrial districts." Reading this, one would think that residential neighborhoods are totally safe from the noise and permanence of compressor stations. He fails to mention that Act 13 declares that compressor stations are "conditional" uses in residential districts as well. Act 13 completely removes the ability for individual municipalities to create any conditions (as we always have in the past for any conditional commercial use). Act 13 sets the predefined "conditions" and strips the local government of any input whatsoever.

Mr. Moody also conveniently leaves out several other facts. Act 13 provides for no density restrictions on wells. Townships would have no control over how many wells could be drilled in any given neighborhood. Gas companies could potentially set up dozens or even hundreds of wells in a neighborhood and there would be nothing the local government could do to control this. Act 13 also permits "frac ponds," which are open-air wastewater ponds from the drilling process, in all zones, including residential, at only a 300-foot setback. This would be like having a stinking wastewater pit with toxic chemicals potentially 300 feet from one's house.

The bottom line is that it is a fact that Act 13 allows seismic testing, drilling, pipelines, frac ponds and compressor stations in all districts. It is a legal play on words as to whether each is a "permitted" or "conditional" use when the municipalities are forbidden to set any conditions.

**I take exception to his final point that a ruling in favor of local control would be "merely a euphemism for no drilling or no fracking." In the township where I am a supervisor, we have an abundance of well drilling and several compressor stations. Our local government has been able to work with the industry while implementing environmental protections needed that are unique to our landscape and character. We certainly are not a "no fracking" township.**

**MARK BROSITZ**

Robinson Township Supervisor

Washington County

# In South Fayette

August 27, 2012 12:18 am

In response to Kevin Moody's letter concerning the Act 13 ruling, I would like to advise him that South Fayette did not ban drilling or fracking within the township altogether. However, township commissioners have passed an ordinance that restricts such activity in residential areas to protect its citizens and the value of their homes. In South Fayette, drilling and fracking are still possible in commercial and industrial zoning areas, where such activity belongs.

**CARSTEN HENKEL**

South Fayette

----- Original Message -----

**From:** Julie Archer

**To:** undisclosed-recipients:

**Sent:** Monday, August 27, 2012 5:17 PM

**Subject:** WV-SORO Update: Water & Wellness Conference Sept. 8 in Morgantown; Stop the Frack Attack Recap

## **Wellness & Water Conference: Health Impacts of Fossil Fuel Extraction**

sponsored by our allies the Ohio Valley Environmental Coalition (OVEC), Sierra Club (WV Chapter) and WV Highlands Conservancy

With a range of workshops and panels, hear about the human health impacts of mountaintop removal coal mining and shale gas drilling and fracking. Meet with impacted residents and experts including: keynote speaker, environmental scientist Dr. Wilma Subra (see Wilma's bio below); Dr. Ben Stout, Aquatic Biologist at Wheeling Jesuit University; Dr. Jill Kriesky, Senior Project Coordinator for the Center for Healthy Environments and Communities at the University of Pittsburgh; and Dr. Michael Hendryx, Research Director for the West Virginia University Institute for Health Policy, whose research is shining a much-needed light on these health impacts.

**WHEN:** September 8, 2012

**WHERE:** First Presbyterian Church, 456 Spruce Street, Morgantown, WV (map at

<http://www.firstpresmorgantown.org/maps.html>)

—Register now online at [www.ohvec.org](http://www.ohvec.org)

—Day-of registration begins at 8:00 a.m. Coffee and tea available.

—Keynote at 9:00 a.m.

—Closing reception at 1:00 p.m. Finger food available.

*\$10 suggested donation to help with the cost of the program and snacks.*

### **About the Keynote Speaker — Wilma Subra**

Wilma graduated from the University of Southwestern Louisiana and the University of Louisiana at Lafayette in Microbiology, Chemistry and Computer Sciences. Committed to protecting the environment and the health and safety of citizens, in 1981 Wilma started Subra Company, a chemistry lab and environmental consulting firm in New Iberia, LA. Wilma worked for the Gulf South Research Institute and served as vice-chair of the EPA National Advisory Council for Environmental Policy and Technology. Wilma serves on the boards of Earthworks and STRONGER (State Review of Oil and Gas Environmental Regulations) and was featured in the documentary film *Gasland*. She has received numerous awards and recognitions, including the MacArthur Foundation's Fellowship "Genius Award" for helping citizens understand, cope with and combat environmental issues in their communities.

**CONTACT:** Robin Blakeman at [robin@ohvec.org](mailto:robin@ohvec.org) or 304-522-0246 for more information. ([Click here to view/download flyer](#))

### **WV-SORO Members Participate in Stop the Frack Attack in Washington, DC**

Community members and organizations from across the country gathered in Washington, DC on July 28 for a rally at the Capitol to demand greater government responsibility and corporate accountability for the harm that existing oil and gas development causes, starting with the removal of special exemptions and subsidies for the oil and gas industry.

In addition to the Saturday rally and march, the week's events included a lobby day on Capitol Hill, as well as trainings, strategy sessions and a town hall style meeting.

On Thursday, 140 citizens lobbied members Congress. More than 250 people attended the National Gathering on Friday to talk strategy and share their stories. Saturday's rally at the US Capitol and march to America's Natural Gas Alliance and American Petroleum Institute was 5,000 strong. Although folks from West Virginia turned out for all of the events, we had the biggest showing at the rally and march. The WV Chapter of the Sierra Club chartered a bus to the event. Nearly 50 people rode the bus, including members of WV-SORO.

*(Left to Right) Julie Archer with Fiona Druge of Morgantown, Letty Butcher of Independence, Rick Humphreys and his daughter Kelly of Mannington. Fiona was a summer intern with Oil Change International (<http://priceofoil.org/>). Letty and Rick are members of WV-SORO. Kelly was a youth speaker and WV representative at the rally. You can watch Kelly's speech our YouTube Channel, [www.youtube.com/user/wvsoro](http://www.youtube.com/user/wvsoro).*

Representatives Diana DeGette (D-Colorado), Maurice Hinchey (D-New York) and Jared Polis (D-Colorado) addressed activists that attended Thursday's lobby day. Friday's town hall speakers included author and environmentalist Bill McKibben, *Gasland* director Josh Fox and citizens from across the country whose communities are affected by fracking. McKibben and Fox also spoke at Saturday's rally along with Kari Matsko (OH), Mike Tidwell (MD), Laura Amos (CO), John Fenton (WY), Dayne Praztky (Australia), Jameson Lisak (PA), Kelly Humphreys (WV), Calvin Tillman (TX), Lori New Breast (Blackfoot Confederacy) and Doug Shields (PA). Dr. Catherine Thomasson of Physicians for Social Responsibility and Allison Chin of the Sierra Club also addressed the crowd. Jen Krill and Gwen Lachelt with Earthworks served as MCs for the event.

Julie Archer and WV-SORO member Rick Humphreys represented WV on the national advisory committee. The rally and march were covered by WBOY-TV in Clarksburg (links available at [www.wvsoro.org](http://www.wvsoro.org)) and we have posted videos of some of the speakers at [www.youtube.com/user/wvsoro](http://www.youtube.com/user/wvsoro). More information at [stopthefrackattack.org](http://stopthefrackattack.org).

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